



Order Filed on May 2, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

**SCURA, WIGFIELD, HEYER,
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In Re:

SOHEILA ZEHTAB-BARR

Debtor.

Case No.: 18-16252

Chapter 13

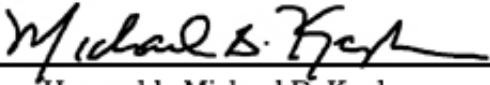
Judge: MBK

Hearing Date and Time:
4/22/2020 at 9:00 am

ORDER AUTHORIZING AND APPROVING: (I) THE SALE OF REAL PROPERTY FREE AND CLEAR OF LIENS, CLAIMS, INTERESTS AND ENCUMBRANCES; (II) APPROVING TERMS OF FINANCING; (III) WAIVING THE FOURTEEN-DAY STAY PURSUANT TO FED. R. BANKR. P. 6004(h); AND (IV) GRANTING OTHER AND RELATED RELIEF

The relief set forth on the following pages, numbered two through four, is hereby
ORDERED.

DATED: May 2, 2020


Honorable Michael B. Kaplan
United States Bankruptcy Judge

Debtor: SOHEILA ZEHTAB-BARR

Case No.: 18-16252

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After review of the Debtor's motion for authorization to sell the real property commonly known as 450 Mine Brook Road, Borough of Bernardsville, State of New Jersey (the "Property"); and the Court taking notice that the Debtor's Chapter 13 Plan contained motions to avoid judicial liens and/or to avoid liens and reclassify claims in whole or in part upon completion of the Plan; and the Debtor having and completed the Chapter 13 Plan by deposited with the Chapter 13 Trustee funds sufficient to pay all filed unsecured claims in full; and the Court having considered oral argument presented on the return date of the Motion;

IT IS HEREBY ORDERED THAT:

1. The last amended Chapter 13 Plan of the captioned debtor, confirmed by order entered November 5, 2018 (Docket No. 41), is hereby amended to require that all filed unsecured claims shall be paid in full through the Plan.
2. The Debtor is authorized to transfer interest in the Property to Luke K Barr ("Purchaser") for no less than \$290,000.00.
3. The consideration to be provided by Purchaser in exchange for the Property is hereby deemed to constitute reasonably equivalent value and fair consideration.
4. The Debtor is hereby authorized to sell and transfer the Property, or any part of her interest therein, to Luke K Barr ("Purchaser") and to take all other actions as are necessary to consummate the transaction including, without limitation, such actions as are necessary to execute and deliver all documents referenced in and/or contemplated in connection with the

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transfer without any further authorization of the Court.

5. The terms of financing necessary to effectuate the contemplated transaction shall be left to the Debtor's discretion.
6. The proceeds of sale or financing must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens. The following liens are avoided:
 - a. Mortgage made by Soheila Zehtab to Chase Bank USA, N.A., dated October 18, 2006, recorded October 31, 2006, in Mortgage Book 5958, Page 999, in the Clerk/Register's Office of the County of Somerset in the originally stated amount \$127,800.00;
 - b. Judgments docketed with the Superior Court of New Jersey:
 - i. Midland Funding, LLC DJ-045961-2012
 - ii. Ford Motor Credit Co., LLC J-221631-2010
7. The stay afforded by 11 U.S.C. §362(a) be, and is hereby, modified to permit SN Servicing Corporation as Servicer for U.S. Bank Trust National Association, as Trustee of the Lodge Series III Trust, its successors and/or assigns (the "SN Servicing"), to pursue its rights under applicable state law with respect to the Property.
8. SN Servicing will be paid \$290,000.00 at closing in full satisfaction of its lien.
9. SN Servicing's Proof of Claim will no longer receive any payments from the Chapter 13 Trustee under the Chapter 13 Plan.
10. Customary closing adjustments payable by the Debtor for municipal charges or assessments shall be satisfied from the proceeds of the Sale at closing.

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11. Notwithstanding Bankruptcy Rule 6004(h) this order authorizing the sale of real property shall not be stayed for fourteen (14) days after the entry hereof but shall be effective and enforceable immediately upon entry.